

**STATE OF NEADA
BOARD OF EXAMINERS
FOR LONG TERM CARE ADMINISTRATORS**

**MINUTES OF QUARTERLY MEETING
NOVEMBER 19, 2003
GRANT SAWYER BUILDING
LCB ROOM 4412E
555 EAST WASHINGTON AVENUE
LAS VEGAS, NV 89101-1049**

1. MARGARET MCCONNELL, CHAIRPERSON, CALLED THE MEETING TO ORDER AT 9:00 AM.
2. TERRY PEDROTTI, EXECUTIVE SECRETARY, CALLED THE ROLL. A QUORUM WAS PRESENT

BOARD MEMBERS:

MARGARET MCCONNELL, CHAIRPERSON
MARY ELLEN WILKINSON, VICE CHAIR
TERRY CLODT
ARNOLD H. GREENHOUSE, M. D.
DOUGLAS SINCLAIR
CAROL SALA
DONNA ROSE WAS EXCUSED

STAFF:

CHARLOTTE M. BIBLE, CHIEF DEPUTY ATTORNEY GENERAL
TERRY PEDROTTI, EXECUTIVE SECRETARY

GUESTS:

CHARLES PERRY, EXECUTIVE DIRECTOR NHCA
BRENT HOOVER, APPLICANT

MS. MCCONNELL ACKNOWLEDGED THE GUESTS AND WELCOMED THEM.

3.** DONNA ROSE, SECRETARY/TREASURER, HAD ASKED THAT TERRY PEDROTTI PRESENT THE REPORTS IN HER ABSENCE AT THIS MEETING.

A. MINUTES OF BOARD MEETING AUGUST 20, 2003:

THE MINUTES HAD BEEN PREVIOUSLY DISTRIBUTED AND THERE WERE NO ADDITIONS, DELETIONS OR CORRECTIONS AND MS. PEDROTTI REQUESTED A MOTION. ARNOLD GREENHOUSE MOVED THAT THE MINUTES BE ACCEPTED AS PRESENTED. MARY ELLEN WILKINSON SECONDED THE MOTION. NO DISCUSSION FOLLOWED AND THE MOTION WAS CARRIED.

B. FINANCIAL REPORTS:

(1) NET WORTH REPORT AS OF OCTOBER 31, 2003;

TERRY PEDROTTI EXPLAINED THAT OUR NET WORTH IS SHOWING AN IMPROVEMENT, BUT DUE TO THE FEES ASSOCIATED WITH THE HEARING, A DEFICIT IN OPERATING INCOME IS STILL BEING REFLECTED.

(2) FIRST QUARTER REPORT:

THE FIRST QUARTER REPORT PREPARED BY THE BOARD'S CPA WAS DISTRIBUTED TO THE BOARD MEMBERS, AND IT SHOWED THE PROJECTED RESULTS OF A LOSS FOR FISCAL 2002 - 2003. THIS OCCURS HISTORICALLY ON EVEN NUMBERED YEARS DUE TO THE FLUCTUATION IN LICENSEE RENEWALS EVERY OTHER YEAR. THERE WAS NO DISCUSSION AND A MOTION WAS REQUESTED. ARNOLD GREENHOUSE MOVED TO ACCEPT THE FINANCIAL REPORTS AS PRESENTED. MARY ELLEN WILKINSON SECONDED THE MOTION, AND IT WAS CARRIED UNANIMOUSLY.

5.** A. APPROVAL OF NFA LICENSES:

- (1) BAUGHMAN, DWAYNE L.
- (2) MALDOVEN, TROY
- (3) ROSNER, MARTHA
- (4) SINCLAIR, CHARLES

MARGARET MCCONNELL ASKED IF ALL REQUIREMENTS AND CONDITIONS HAD BEEN MET BY THE APPLICANTS. ALL HAD BEEN MET AND A MOTION WAS REQUESTED. ARNOLD GREENHOUSE MOVED TO APPROVE LICENSURE OF THE NAMED APPLICANTS. MARY ELLEN WILKINSON SECONDED THE MOTION, AND IT WAS CARRIED UNANIMOUSLY.

C. APPROVAL OF RFA LICENSES:

- (1) CLIMACO, ROSEMARIE
- (2) CODAY, SHANNON
- (3) CRUZ, MYLA D.
- (4) GARCIA, VICTOR P.
- (5) ROBERTS, DIANA S.
- (6) NEEL, FE D.

MS. MCCONNELL REQUESTED A MOTION IF ALL REQUIREMENTS AND CONDITIONS HAD BEEN MET BY THE APPLICANTS. DOUGLAS SINCLAIR WHO REVIEWS ALL RFA APPLICATIONS STATED THEY HAD BEEN. ARNOLD GREENHOUSE MOVED TO APPROVE LICENSURE OF THE NAMED APPLICANTS. DOUGLAS SINCLAIR SECONDED THE MOTION, AND IT WAS CARRIED.

D. INACTIVE REQUESTS:

- (1) GARCIA, CHRISITIE, RFA

MS. MCCONNELL REQUESTED A MOTION IF ALL REQUIREMENTS HAD BEEN MET. ALL CONDITIONS HAD BEEN MET. ARNOLD GREENHOUSE MOVED TO APPROVE INACTIVE STATUS FOR CHRISTIE GARCIA. TERRY CLODT SECONDED THE MOTION, AND IT WAS CARRIED.

6.** APPLICATIONS/LICENSES IN QUESTION:

A. BRENT HOOVER, NFA APPLICANT

CHARLOTTE BIBLE ASKED MR. HOOVER TO INTRODUCE HIMSELF FOR THE RECORD. MS. BIBLE EXPLAINED TO MR. HOOVER THAT THE CHARGES AND ARRESTS HE DISCLOSED IN HIS APPLICATION FOR LICENSURE WERE OF CONCERN TO THE BOARD.

MARY ELLEN WILKINSON ADMINISTERED THE OATH.

CHARLOTTE BIBLE REQUESTED AN EXPLANATION OF THE ORIGINAL CHARGE IN 1991 OF A DUI, A MISDEMEANOR. MR. HOOVER STATED THAT HE PAID A FINE AND HAD HIS DRIVER'S LICENSE SUSPENDED FOR 1 YEAR, BUT BELIEVED IT WAS REINSTATED 90 DAYS LATER BECAUSE OF PARTICIPATION IN A STATE MANDATED DIVERSION PLAN. HE STATED HE COULD NOT REMEMBER THE DETAILS.

MS. BIBLE ASKED ABOUT THE CHARGES IN 1994. MR. HOOVER EXPLAINED HE WAS STOPPED AND WRONGLY ACCUSED OF A DUI, BUT REFUSED TO TAKE A SOBRIETY TEST. HE WENT TO COURT AND THE CHARGES WERE DROPPED. HOWEVER, IN THE STATE OF OREGON, HIS REFUSAL TO SUBMIT TO A BLOOD ALCOHOL TEST AUTOMATICALLY RESULTED IN HIS DRIVER'S LICENSE BEING SUSPENDED FOR 3 YEARS EVEN IF FOUND INNOCENT.

IN 1995, MR. HOOVER STATED HIS THEN GIRLFRIEND WAS AT A PARTY AND WAS INTOXICATED, HE PICKED HER UP TO DRIVE HER HOME. HE WAS STOPPED FOR A LICENSE PLATE PROBLEM AND WAS AGAIN FINED FOR DRIVING WITH A SUSPENDED LICENSE. SUSPENSION OF HIS LICENSE WAS EXTENDED.

IN 1999, MR. HOOVER HAD ANOTHER DUI. HE STATED HE HAD DINNER WITH FRIENDS AND WAS AGAIN STOPPED. HE WENT TO COURT, SPENT 3 DAYS IN JAIL, AND PAID A FINE OF \$1,000. HIS LICENSE WAS AGAIN SUSPENDED FOR 3 YEARS.

IN MAY 2000, MR. HOOVER WAS STOPPED AGAIN FOR SPEEDING (HE THOUGHT), WHEN HE DROVE TO LAS VEGAS TO PICK UP A STRANDED GIRLFRIEND, AGAIN WITH A SUSPENDED LICENSE. HE WENT TO COURT AND PAID A FINE OF \$1,000. HIS SUSPENSION WAS AGAIN EXTENDED TO APRIL 2003.

IN MAY 2003, MR. HOOVER WAS STOPPED AGAIN (HE WASN'T CLEAR ON WHY HE WAS STOPPED, BUT PROBABLY FOR SPEEDING) FOR DRIVING WITH A SUSPENDED LICENSE. HE PAID A FINE OF \$500. HE STATED HE BELIEVED HIS SUSPENSION ENDED IN APRIL OF 2003, BUT HAD NO DOCUMENTATION TO SUPPORT THAT AND TOOK NO ACTION TO REINSTATE HIS LICENSE. MR. HOOVER REPRESENTED THAT THE STATE OF OREGON ISSUES LICENSES FOR A 7-YEAR PERIOD, AND ALLOWS THE INDIVIDUAL TO RETAIN POSSESSION OF THE LICENSE EVEN WHEN SUSPENDED.

IN VIEW OF THE ABOVE HISTORY, DOUGLAS SINCLAIR STATED THAT MR. HOOVER'S HISTORY SHOWS A LACK OF GOOD JUDGMENT AND MOVED TO DENY THE APPLICATION FOR LICENSURE. ARNOLD GREENHOUSE SECONDED THE MOTION. A DISCUSSION WAS REQUESTED.

MARGARET MCCONNELL STATED THAT THE BOARD'S RESPONSIBILITY TO PROTECT THE ELDERLY AND INFIRM IS PARAMOUNT. SHE HAD SERIOUS CONCERNS ABOUT MR. HOOVER'S DECISION-MAKING ABILITY IN VIEW OF HIS PAST RECORD. THUS, THE UNCERTAINTY OF THAT LACK OF JUDGMENT COULD BE CARRIED OVER INTO HIS PROFESSIONAL ROLE. MS. MCCONNELL THANKED MR. HOOVER FOR HIS HONESTY IN DISCLOSING THE INFORMATION PRIOR TO THE BOARD'S RECEIVING IT FROM THE CRIMINAL REPOSITORY. NO FURTHER DISCUSSION FOLLOWED, AND MS. MCCONNELL REQUESTED A VOTE BY THE BOARD MEMBERS TO THE MOTION THAT MR. HOOVER'S REQUEST FOR LICENSURE WAS TO BE DENIED. THE MOTION WAS CARRIED UNANIMOUSLY.

5.** TERRY PEDROTTI WAS ASKED TO SUBMIT THE ADMINISTRATIVE REPORT. MS. PEDROTTI STATED THAT THE OFFICE HAS BEEN EXTREMELY BUSY, BUT DUE TO EXTRAORDINARY LEGAL FEES, THE OFFICE IS STILL SHOWING A LOSS. HOWEVER, THERE HAS BEEN AN INCREASE IN NFA APPLICATION REQUESTS, AS WELL AS RFA'S, AND WITH THE HISTORICAL LARGE NUMBER OF RENEWALS THAT ARE DUE IN FEBRUARY 2004, AN INCREASE IN OPERATING CASH SHOULD BE FORTHCOMING FOR THE REMAINDER OF THE FISCAL YEAR.

7.** A. THE NAB MODEL APPLICATION WAS DISCUSSED. THE APPLICATION PRESENTLY BEING USED BY THE BOARD OFFICE HAS BEEN VERY EFFECTIVE, AND MUCH OF IT WAS USED AS A TEMPLATE FOR THE NAB MODEL. THEREFORE, THE BOARD WILL RETAIN ITS PRESENT APPLICATION FORM.

TERRY PEDROTTI REMARKED THAT THERE IS ONE ITEM THAT PROBABLY SHOULD BE CONSIDERED AS AN ADDITION AND THAT IS THE REQUEST FOR A COPY OF A DRIVER'S LICENSE OR OTHER PHOTO ID. A DISCUSSION FOLLOWED AND TERRY CLODT MADE A MOTION TO REQUIRE A COPY OF A DRIVER'S LICENSE OR OTHER PHOTO ID TO BE INCLUDED ON THE BOARD'S PRESENT APPLICATION. DOUGLAS SINCLAIR SECONDED THE MOTION, AND IT WAS CARRIED UNANIMOUSLY. CHARLOTTE BIBLE AND TERRY PEDROTTI WERE ASKED TO DEFINE THE LANGUAGE TO BE USED.

TERRY PEDROTTI ALSO INDICATED THAT THE MODEL APPLICATION DOES NOT REQUIRE A BACKGROUND CHECK. A DISCUSSION FOLLOWED IN WHICH IT WAS DETERMINED THAT SOME STATES DO NOT REQUIRE A BACKGROUND CHECK. THEREFORE, THE MODEL WAS PRINTED SO IT COULD BE APPLIED TO ALL STATES.

HOWEVER, MARGARET MCCONNELL ASKED TERRY PEDROTTI TO SEND AN E-MAIL TO RANDY LINDNER, EXECUTIVE DIRECTOR OF NAB, ASKING HIM TO CLARIFY THE REASON FOR A BACKGROUND CHECK'S NOT BEING INCLUDED IN THE MODEL APPLICATION.

B. IN AN E-MAIL, DONNA ROSE STATED THAT SHE AND MARY ELLEN WILKINSON WOULD PROVIDE A DRAFT REGARDING "APPROVED/PROVISIONALLY AIT PROGRAMS INCLUDING SUGGESTIONS FOR REVISED RULES & REGULATIONS" AT A FUTURE MEETING. MARY ELLEN WILKINSON DECLINED TO PARTICIPATE. CHARLES PERRY OFFERED SOME INSIGHT INTO THE ISSUE, INDICATING THAT THERE IS NO ORGANIZED DATA FOR AIT PROGRAMS IN NEVADA. MARGARET MCCONNELL SUGGESTED THAT IT MIGHT BEHOVE THE BOARD TO SEND A LETTER TO ALL NURSING FACILITIES IN NEVADA INQUIRING ABOUT WHETHER AN AIT PROGRAM IS PROVIDED; IS IT PAID OR NOT? HOW MUCH TIME IS ALLOTTED? IS THERE A PRECEPTOR AVAILABLE AND WHAT ARE HIS/HER QUALIFICATIONS? ALSO, REQUESTING THAT THE FACILITY PROVIDE THE BOARD WITH AN OUTLINE OF ITS PROGRAM IF ONE EXISTS. THAT INFORMATION WOULD ULTIMATELY LEAD TO EXPLORING A PRECEPTOR TRAINING PROGRAM AND A DEFINED STANDARD AIT PROGRAM FOR NEVADA. MARGARET MCCONNELL AND CHARLOTTE BIBLE WILL WORK TOGETHER TO PREPARE A FORMAT OF THE LETTER.

ONCE THE INFORMATION HAS BEEN RECEIVED, IT WILL BE SUBMITTED TO CHARLES PERRY AND DONNA ROSE FOR FORMULATING THE PROGRAM AND SUBSEQUENT PRESENTATION TO THE BOARD FOR ITS DISCUSSION AND ACTION.

8.** A. TERRY CLODT DESCRIBED HIS PROPOSED TRAINING SEMINAR: "THEFT AND ELDERLY ABUSE IN NURSING AND ASSISTED LIVING FACILITIES".

MR. CLODT EXPLAINED THAT AN INCREASE IN ELDERLY ABUSE AND THEFT IN LONG TERM CARE FACILITIES, I.E., GROUP HOMES, ASSISTED LIVING FACILITIES AND NURSING HOMES IS THE INCENTIVE FOR HIS PROPOSAL. HE HAS CONTACTED THE METRO POLICE DEPARTMENT OF LAS VEGAS, THE DIVISION FOR AGING SERVICES, THE DISTRICT ATTORNEY'S OFFICE OF CLARK COUNTY AND OTHERS. ALL OF THE ENTITIES ARE IN AGREEMENT THAT SUCH A SEMINAR WOULD BE BENEFICIAL IN THE PRESENT ATMOSPHERE AND HAVE OFFERED TO PARTICIPATE. MOST WOULD LIKE TO INCLUDE HOSPITALS, HOSPICES AND OTHER MEDICAL FACILITIES, IN ADDITION TO LONG TERM CARE FACILITIES.

MR. CLODT OFFERED HIS SERVICES TO WHOEVER SPONSORS SUCH A SEMINAR WITH BELTCA ACTING AS CO-SPONSOR. THE COSTS WOULD BE MINIMAL TO THE PRIMARY SPONSOR, BECAUSE ALL OF THE ENTITIES HAVE VOLUNTEERED SPEAKERS.

CAROL SALA, CHIEF OF THE DIVISION FOR AGING SERVICES, INDICATED THE DIVISION WOULD BE ABLE TO BE PRIMARY SPONSOR, AS THE DIVISION IS PRESENTLY ENGAGED IN A SIMILAR PROGRAM. CEU'S WOULD BE ISSUED TO ALL PARTICIPANTS.

MARGARET MCCONNELL REQUESTED A MOTION. TERRY CLODT MOVED TO MOVE FORWARD WITH THE PROGRAM INVOLVING ALL OF THE ENTITIES: METRO POLICE, DIVISION FOR AGING SERVICES, DISTRICT ATTORNEY'S OFFICE, NEVADA HEALTH CARE ASSOCIATION, WHO HAVE AGREED TO PARTICIPATE, AND THE BUREAU OF LICENSURE AND CERTIFICATION WILL BE ASKED TO JOIN THE GROUP. THE DIVISION FOR AGING SERVICES WILL BE THE PRIMARY SPONSOR, ASSISTED BY BELTCA WHO WILL ALSO REVIEW THE PROGRAM FOR FINAL CEU APPROVAL. THE PROGRAM WILL BE PRESENTED IN SOUTHERN NEVADA, THEN REPLICATED IN NORTHERN NEVADA WITH NORTHERN NEVADA PARTICIPANTS FROM THE NAMED ENTITIES. MARY ELLEN WILKINSON SECONDED THE MOTION. THE MOTION WAS CARRIED.

B. MARGARET MCCONNELL EXPLAINED THAT THE BOARD OFFICE EXPERIENCED AN INCIDENT RECENTLY WHERE AN ADMINISTRATOR OF A LARGE ASSISTED LIVING FACILITY BECAME ADMINISTRATOR OF A SECOND LARGE FACILITY WITHOUT INFORMING THE BOARD. THUS, THE ISSUE AROSE OF HOW THE BOARD CAN ENFORCE THE REPORTING OF CHANGES IN STATUS WHETHER PROFESSIONALLY AND/OR PERSONALLY. PRESENTLY, MANY ADMINISTRATORS CHANGE FACILITIES WITHOUT NOTIFYING THE BOARD OFFICE. THE BOARD NEEDS TO KEEP ITS DATA UPDATED FOR COMMUNICATION PURPOSES AND TO COMPLY WITH NAC 654-250. CHARLOTTE BIBLE ADVISED THAT A CHANGE IN THE REGULATIONS WOULD BE REQUIRED TO ENFORCE THAT ISSUE.

DOUGLAS SINCLAIR SUGGESTED THAT PERHAPS THE BOARD COULD ENLIST THE ASSISTANCE OF BLC IN KEEPING THE BOARD INFORMED BY PROVIDING THE LIST OF RENEWED FACILITY LICENSES THAT OCCURS IN DECEMBER ANNUALLY TO THE BOARD AS SOON AS IT IS PROCESSED. MARGARET MCCONNELL SUGGESTED SHE HAS A MEETING WITH BLC AND WOULD THE BOARD PERMIT HER TO ASK THE CHIEF OF BLC IF THEY CAN KEEP BELTCA INFORMED OF CHANGES AS THEY OCCUR. TERRY CLODT MOVED TO ALLOW MARGARET MCCONNELL TO INQUIRE WHEN SHE MEETS WITH MEMBERS OF BLC IF THEY WOULD ADVISE THE BOARD OFFICE OF CHANGES AS THEY OCCUR. ARNOLD GREENHOUSE SECONDED THE MOTION. THE MOTION WAS CARRIED.

C. MARGARET MCCONNELL RECENTLY ATTENDED THE AHCA CONFERENCE AND MET AN INDIVIDUAL FROM CALIFORNIA WHO PRESENTS CLASSES IN A FORMALIZED TRAINING PROGRAM THAT WOULD BETTER PREPARE APPLICANTS FOR ASSISTED LIVING EXPERIENCE THAN OUR PRESENT REQUIREMENT OF A HOME STUDY COURSE. THE ACTUAL CLASSES WOULD PREPARE THE APPLICANTS FOR "HANDS-ON" EXPERIENCE AS WELL IN CARING FOR THE ELDERLY, RATHER THAN JUST BOOK LEARNING. MS. MCCONNELL ASKED THE BOARD IF SUCH A PROGRAM WOULD BEAR SCRUTINY AND BE CONSIDERED FOR POSSIBLE IMPLEMENTATION AT A FUTURE DATE IN LIEU OF THE PRESENT ALFA TRAINING SYSTEM. THE BOARD AGREED THAT FURTHER THOUGHT SHOULD BE GIVEN TO SUCH A PROGRAM, AS BOOK-LEARNING CANNOT COMPARE WITH ACTUAL "HANDS ON" EXPERIENCE. MS. MCCONNELL STATED SHE WOULD ATTEMPT TO OBTAIN MORE INFORMATION AND BRING IT BACK TO THE BOARD FOR FURTHER CONSIDERATION.

9.** CHARLOTTE BIBLE, CHIEF DEPUTY ATTORNEY GENERAL, HAD NO ADDITIONAL COMMENTS.

TERRY PEDROTTI WAS ASKED TO ADD THE DISCUSSION FOR PUBLIC WORKSHOPS AND HEARINGS TO ADDRESS CHANGES IN THE ADOPTED RULES AND REGULATIONS AS AN AGENDA ITEM FOR THE NEXT MEETING.

10. THERE WAS NO CORRESPONDENCE.

11. THERE WERE NO PUBLIC COMMENTS.

12.** THE MEMBERS WERE ASKED TO CONSULT THEIR CALENDARS FOR A DATE FOR THE NEXT QUARTERLY MEETING. THE AGREED UPON DATE WAS THURSDAY, FEBRUARY 26, 2004, 9:00 AM, IN LAS VEGAS. TERRY PEDROTTI WAS ASKED TO FOLLOW UP AND MAKE ARRANGEMENTS FOR THE MEETING.

13.** THERE WAS NO FURTHER BUSINESS. MARGARET MCCONNELL REQUESTED A MOTION. ARNOLD GREENHOUSE MOVED TO ADJOURN. MARY ELLEN WILKINSON SECONDED THE MOTION. THE MOTION WAS CARRIED AND THE MEETING WAS ADJOURNED AT 10:30 A.M.

RESPECTFULLY SUBMITTED:

TERRY PEDROTTI, EXECUTIVE SECRETARY

ATTESTED:

DONNA ROSE, SECRETARY/TREASURER